

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LEONARDO GUZMAN VASQUEZ,

Plaintiff,

v.

MARK ALBERT MORLOK, et al.,

Defendants.

Case No. 1:24-cv-01068-KES-SAB

ORDER GRANTING REQUEST FOR
EXTENSION OF TIME TO COMPLETE
SERVICE IN PART AND CONTINUING
SCHEDULING CONFERENCE TO MARCH
27, 2025

(ECF No. 5)

FEBRUARY 21, 2025 DEADLINE

Plaintiff commenced this action on September 9, 2024. (ECF No. 1.) A scheduling conference is currently set for February 11, 2025. (ECF No. 3.) Because Plaintiff has not returned service documents and Defendant has not filed a responsive pleading, the Court ordered Plaintiff to file a notice of status of service by January 21, 2025. (ECF No. 4.)

On January 21, 2025, Plaintiff filed a notice informing the Court that he has not served either Defendant. (ECF No. 5.) Plaintiff proffers that this matter was filed on September 9, 2024 to protect the statute of limitations. Plaintiff contends that after filing the complaint, the insurance carrier engaged in communication and has shown interest in settlement. Plaintiff believes that a resolution is forthcoming and requests an extension of not less than 120 days to continue with settlement discussions. Should the matter not resolve, Plaintiff will then serve Defendants and proceed with litigation.

1 The Court does not find good cause exists for Plaintiff's additional 120 day extension of
2 time to serve Defendants. Plaintiff fails to proffer when settlement discussions began or why an
3 additional four months is necessary to continue discussions in an action alleging negligence
4 resulting from a motor vehicle collision. It is not well-taken that Plaintiff requests, without
5 adequate explanation, that this case linger on the Court's docket for eight months before he will
6 attempt to serve Defendants.


7 The Court shall extend the time for service of Defendants by an additional thirty days.
8 Any further request for an extension of time beyond the one hundred sixty five (165) days
9 already afforded to Plaintiff that is not supported by good cause will be met with a bias towards
10 denial. The Court shall also continue the mandatory scheduling conference to accommodate the
11 extension.

12 Accordingly, IT IS HEREBY ORDERED that:

- 13 1. Plaintiff's request for an extension of time to complete service (ECF No. 5) is
14 GRANTED IN PART;
- 15 2. The deadline for Plaintiff to complete service on Defendants shall be extended to
16 **February 21, 2025**;
- 17 3. Upon service of each Defendant, Plaintiff shall promptly file proofs of service so
18 the Court has a record of service;
- 19 4. The scheduling conference set for February 11, 2025, is CONTINUED to **March**
20 **27, 2025, at 10:00 a.m.** in Courtroom 9; and
- 21 5. The parties shall file a joint scheduling report **seven (7) days** prior to the
22 scheduling conference.

23 IT IS SO ORDERED.

24 Dated: **January 22, 2025**

25 
26 STANLEY A. BOONE
27 United States Magistrate Judge
28